



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

PZ 11

NOTICE OF ALLOWANCE AND ISSUE FEE DUE

IM62/0204

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| APPLICATION NO. | FILING DATE | TOTAL CLAIMS | EXAMINER AND GROUP ART UNIT | DATE MAILED |
|-----------------------|--|--------------|-----------------------------|---------------|
| 08/850,922 | 05/02/97 | 014 | DRODGE, J | 1723 02/04/00 |
| First Named Applicant | RYLES, 35 USC 154(b) term ext. = 0 Days. | | | |

TITLE OF INVENTION LIQUID FILTERING APPARATUS

| ATTY'S DOCKET NO. | CLASS-SUBCLASS | BATCH NO. | APPLN. TYPE | SMALL ENTITY | FEE DUE | DATE DUE |
|-------------------|----------------|-----------|-------------|--------------|----------|----------|
| 0 A-5816 | 210-108.000 | H79 | UTILITY | YES | \$605.00 | 05/04/00 |

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.

THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.

HOW TO RESPOND TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your **ISSUE FEE**. Even if the **ISSUE FEE** has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the **ISSUE FEE** to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give application number and batch number. Please direct all communications prior to issuance to Box **ISSUE FEE** unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PATENT AND TRADEMARK OFFICE COPY

Notice of Allowability

Application No.
08/850,922

Applicant(s)

RYLES

Examiner

Joseph Drodge

Group Art Unit

1723



All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

☒ This communication is responsive to the Amendment filed on January 20, 2000

☒ The allowed claim(s) is/are 1-3, 5-11 and 13-16, now renumbered claims 1-14

☒ The drawings filed on May 2, 1997 are acceptable.

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE **THREE MONTHS** FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

☐ Applicant MUST submit NEW FORMAL DRAWINGS

☐ because the originally filed drawings were declared by applicant to be informal.

☐ including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. _____

☐ including changes required by the proposed drawing correction filed on _____, which has been approved by the examiner.

☐ including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

☒ Interview Summary, PTO-413

☒ Examiner's Amendment/Comment

☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

☒ Examiner's Statement of Reasons for Allowance

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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Douglas Robinson on February 2, 2000.

2. The application has been amended as follows:

In claim 1, in line 6 "excessive" has been deleted and in line 11 --in response to said resistance-- has been inserted after "element".

In claim 11, in line 12 "memberane" has been replaced with --membrane-- , in line 14 "excessive" has been deleted and in line 19 --in response to said resistance-- has been inserted after "attitudes".

In claim 16, in line 4 --occurs-- has been inserted after "member".

In the Specification, on page 9, in line 37 the "," has been deleted.

3. The following is an examiner's statement of reasons for allowance:

Claim 1 , and claims dependent therefrom are now deemed to distinguish over all of the prior art of record , and also over newly cited Reipur et al patent 5,234,605; Walker patent 4,936,989 and Zylstra patent 3,332,259 in view of recitation within independent claim 1 of

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"...wherein said valve means includes a moveable valve member, said filtering element being coupled to said valve member and being adapted to move said valve member to reverse said flow of liquid through said filtering element in response to said resistance".

Claim 11 is similarly deemed to distinguish in view of recitation within claim 11 of "....wherein said valve means is coupled to said filtering member and wherein said filtering membrane causes valve member to move between said first and second attitudes in response to said resistance".

In Zylstra, the filtering member is arranged to be moved by manual activation and in turn to cause a valve means to move into a backwash position.

In Walker , an actuator, attached to a stationary filtering member, is arranged to be moved by increased resistance to flow through the filtering member, and in turn moves a valve member into backwash position.

In Reipur et al, a diaphragm , attached to a filtering member , is arranged to move simultaneously with movement of a filter in response to increased resistance to flow through the filter , in turn causing a backwash flow of fluid through the filter.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph W. Drodge whose telephone number is (703) 308-0403. The examiner can normally be reached on Monday-Friday from approximately 8:30 AM - 4:45 PM.

The fax phone number for this Group is (703) 305-3599. When filing a FAX in Tech Center 1700, please indicate in the Header (upper right) "Official" for papers that are to be entered into the file, and "Unofficial" for draft documents and other communication with the PTO that are not for entry into the file of the application. This will expedite processing of your papers.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0661.


Joseph W. Drodge
Primary Examiner
Art Unit 1723

JWD
February 3, 2000